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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,579	07/12/2001	Carl S. Chow	10007750-1	4263

7590 01/31/2006

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EXAMINER

BASS, JON M

ART UNIT PAPER NUMBER

3639

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/905,579	RICHARD LEVINE	
	Examiner	Art Unit	
	Jon Bass	3639	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 07, 2005 has been entered.

Notice to Applicant

2. In the amendment filed September 07, 2005, the following has occurred: Claims 12-18 have been canceled; Claims 19, 22, 27 and 30 have been amended.
3. Applicant's arguments with respect to claims 19, 22, 27 and 30 have been considered but are moot in view of Tonkin (6,134,568).

4. The Examiner would like to note that the applicant is invited to contact the Examiner for further explanation. The Examiner can be reached at the number noted below.
5. Below is a copy of the Office Action

Claim Rejections - 35 USC § 103

Claims 19-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tonkin (US 6,134,568) in view of EP 0621563 A1 (hereinafter EP).

As for Claims 19 and 27, Tonkin discloses a method comprising:

providing a client interface, wherein the client interface includes at least a portion of a network (see Fig. 1);
detecting a client inquiry via the interface (see Fig. 3);
presenting an information selection prompt via the interface in response to the client inquiry (see Figs. 4, 5B-F);
and
receiving a client selection via the client interface in response to presenting the information selection prompt (see Fig. 1).

selected data retrieved from a database, the selected data corresponding to the client selection; and, [figure 8A element

632}, an image of selected binder and figure 4 step 24, the user selects a different portion of the document].

As Per Claim 27:

providing a client interface, wherein the client interface comprises at least a portion of network, [{col.3, lines 62-64}, connected to a wide area network (WAN)]

detecting a client inquiry via the client interface, (see fig 3).

presenting an information selection prompt via the interface in response to the client inquiry (see Figs. 4, 5B-F); and

receiving a client selection via the client interface in response to presenting the information selection prompt (see Fig. 1).

accessing a read only memory device and retrieving selected data corresponding to the client selection; [{figure 2, element 154}, read only memory].

the selected data; and [{figure 8A element 632}, an image of selected binder and figure 4 step 24, the user selects a different portion of the document]

However, Tonkin does not specifically disclose the method further including the step of calculating postage for the booklet based on the total weight of the booklet and print the electronic image onto one or more sheets of print media.

EP teaches, for system and method for preparing items for mailing, that the system calculates the postage and prints it on the booklet, wherein the postage amount is calculated by the total weight of selected items with known weights (col. 5, lines 43-56).

Since EP and Tonkin are both from the same field of endeavor of printing items with known weight and combining the items to calculate the total weight, the purpose disclosed by EP would have been well recognized in the pertinent field of Tonkin.

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to calculate the exact postage for the booklet of Tonkin based on the total weight of the booklet and print the electronic image (including the postage) onto one or more sheets of print media at the document production locations (such as locations 71 to 73 in Fig. 1 of Tonkin), as taught by EP, for the purpose of

charging proper postage may be applied to the corresponding booklet.

As for Claims 20 and 28, the modified method of Tonkin further discloses the method, including:

presenting a name and address prompt via the client interface (see Fig. 9 for the name and address in Tonkin); and
receiving a client name and postal address.

As for Claims 21 and 29, the modified method of Tonkin further discloses the method, wherein the electronic image includes the client name and postal address (see the computer system of EP reference includes the electronic image of the mail piece including the name and postal address).

As for Claims 22 and 30, the modified method of Tonkin further discloses the method, wherein the electronic image further selected data , figure 4 step 24, the user selects a different portion of the document], includes an image to be purchased by the client (see Fig. 8A for the image in Tonkin).

As for Claims 23 and 31, the modified method of Tonkin further discloses the method, however, it does not specifically disclose that the image is form of sheet music.

Since Tonkin discloses the various type of image in form of graphic, picture or various type of text, it would have been obvious to one having ordinary skill in the art to include the sheet music as one type of image for the purpose of printing the sheet music documents when requested by the client.

As for Claims 24 and 32, the modified method of Tonkin further discloses the method, wherein the image is artistic graphics (see Fig. 8A).

As for Claims 25 and 33, the modified method of Tonkin further discloses the method, wherein the image is literary text (see Id.).

As for Claims 26 and 34, the modified method of Tonkin further discloses the method, wherein the image is technical data (see Id.).

Response to Arguments

The applicant's arguments have been fully considered but are moot due to the rejection stated previously and above. For the reason set forth the rejections remain.

Conclusion

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any concerns in regard to this communication, the examiner **Jon Bass** can be reached at

(571) 272-6905 between the hours of **9-6pm Monday through Friday.**

The fax number for the establishment where the application is being process is **(571) 273-6905.**

If an attempt to reach the examiner is unsuccessful for any reason, the examiner's immediate supervisor, **John Hayes** can be reached at **(571) 272-6708**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished is available through Private PAIR only. For more information about the PAIR system, see [http:// pair-direct.uspto.gov](http://pair-direct.uspto.gov). Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-271-9197 (toll free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/O Technology Center 3600

Washington, D.C. 20231


JOHN W. HAYES
SUPERVISORY PATENT EXAMINER

